

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 11, 2004

DIVISION ONE

B167316 Los Angeles County, D.C.S. (Not for Publication)
B167897 v.
 Adrianne G.

The orders of May 2, 2003, and June 5, 2003, are affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B169456 People (Not for Publication)
 v.
 Otis

We affirm the order.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

February 11, 2004 (Continued)

DIVISION TWO

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Ashmann-Gerst, J.

B164529 Los Angeles County, D.C.S.
v.
Elena B.

Filed order denying petition for rehearing.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B165191 People v. Linson
B162215 People v. Ainsworth
B172033 Lisa M., v. S.C.L.A.
B165537 Applebaum, et al., v. Regents of the University of California, et al.
B166130 People v. Thomas
B165142 People v. Edmond
B163951 People v. Brandon

Argument waived, cause submitted.

DIVISION THREE (Continued)

B162809 Daar & Newman, et al.
 v.
 Obagi, et al.

Merits:
Argued by Jeffery J. Daar for appellants and by Gina E. Och for
respondents. Cause submitted.

B165497 Hemady, et al.
 v.
 Long Beach Unified School District, et al.

Merits:
Argued by Alexander M. Kirkpatrick for appellants and by Allen L.
Thomas for respondents. Cause submitted

B167857 Painter
 v.
 Painter

Merits:
Argued by Heidi Madzar for appellant and by Janette F. Cochran for
respondent. Cause submitted.

B164176 Gibraltar Products, Inc.
 v.
 Attar, et al.

Merits:
Argued by Kal Attar for appellants and by John Randall Faith for
respondent. Cause submitted.

Court recessed at 11:21 a.m.

DIVISION THREE (Continued)

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B161964 Abassi, et al.
 v.
 Welke, et al.

Merits:
Argued by Jana Lubert for respondents. Argument waived by the appellant. Cause submitted.

B166871 Harrison
 v.
 Lambert

Merits:
Argued by Stuart Miller for appellant and by Steven A. Schuman for respondent. Cause submitted.

B169330 Warlick
 v.
 Trader-Warlick

Merits:
Argued by Jeffrey W. Doeringer for appellant and by Robert B. Clayton for respondent. Cause submitted.

B165435 People
 v.
 Parks

Merits:
Argued by John L. Staley for appellant and respondent and by Brent Riggs, deputy district attorney for respondent and appellant. Cause submitted.

DIVISION THREE (Continued)

B166766 Weiner
 v.
 The Firm, Inc.

Merits:
Argued by Steven Drapkin for appellant and by Kevin T. Barnes for
respondent. Cause submitted.

Court adjourned at 3:19 p.m.

B166801 Alan Baum (Not for Publication)
 v.
 Monita Baum

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B170018 Los Angeles County, D.C.S. (Not for Publication)
 v.
 E.P.

The appeal is dismissed.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

February 11, 2004 (Continued)

DIVISION FIVE

B167845 People (Not for Publication)
v.
Nolan McCarter

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B167759 Joon Young Oh, et al. (Not for Publication)
v.
Coldwell Banker Best Realty, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, Acting P.J.

We concur: Armstrong, J.
Mosk, J.

B167684 People (Not for Publication)
v.
David Bushman

The appeal is dismissed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

February 11, 2004 (Continued)

DIVISION FIVE (Continued)

B163496 People (Not for Publication)
v.
Shadae Schmidt

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B166523 Michael Cervantes (Not for Publication)
v.
Athens Services

The order denying the petition to compel arbitration is reversed. Upon issuance of the remittitur, the petition to compel arbitration is to be granted subject to the analysis in the body of this opinion concerning the imposition of costs unique to arbitration on plaintiff. Defendant, Athens Services, is to recover its costs on appeal from plaintiff, Michael Cervantes.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B167161 Ohashi v. Simi Valley Hospital & Health Care Services

Argument waived, cause submitted.

DIVISION SIX (Continued)

B167991 Kafader
 Phinney
 v.
 United Services Automobile Associations

Merits:
Argued by Robert A. Walker for appellants and by Susan H. McCollum for respondent Phinney. Cause submitted.

B168117 Krupnick
 v.
 Duke Energy Morro Bay

Merits:
Argued by Robert Bates for appellant and by Blaine I. Green for respondent. Cause submitted.

B167312 Lopez
 v.
 Ortiz

Merits:
Argued by Dennis J. Shea for appellant and by Gary Ronald Colegrove for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B168456 Marriage
 of
 Stolkin

Merits:
Argued by Herbert D. Nowlin for appellant and by Patrick G. Cherry for respondent. Cause submitted.

Court recessed at 10:15 A.M.

February 11, 2004 (Continued)

DIVISION SIX (Continued)

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B171673 Blair v. Santa Barbara Co. Superior Court (Ballesteros)

Presentation continued to March, 2004.

Each of the following:

B161060 People v. Washington
B164311 People v. Johnson
B164597 People v. Mitchell
B164659 People v. Sheppard
B164774 People v. Gebreselassie
B166410 People v. Spear
B166821 People v. Edwards
B166851 People v. Jackson
B168792 People v. Edwards

Argument waived, cause submitted.

B166997 People
 v.
 Bird

Merits:

Argued by Susan B. Lascher for appellant and by Yun K. Lee, Deputy Attorney General, for respondent via video conference. Cause submitted.

B164140 People
 v.
 Ortiz

Merits:

Argued by Richard C. Gilman for appellant and by Myung J. Park, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B163555 People
 v.
 Eldredge

Merits:
Argued by Susan P. Stone for appellant and by Elaine F. Tumonis, Deputy Attorney General, for respondent via video conference. Cause submitted.

B165232 People
 v.
 Palomo

Merits:
Argued by Wayne C. Tobin for appellant and by James W. Bilderback, II, Deputy Attorney General, for respondent via video conference. Cause submitted.

B164857 People
 v.
 Coffman

Merits:
Argued by Ralph H. Goldsen for appellant and by Michael A. Katz, Deputy Attorney General, for respondent via video conference. Cause submitted.

Gilbert, P.J. left the bench.

B162001 People
 v.
 Rugge

Merits:
Argued by Susan P. Lascher for appellant and by David F. Glassman, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned at 2:55 P.M.

February 11, 2004 (Continued)

DIVISION SEVEN

B162894 People (Not for Publication)
v.
Corral

The judgment is affirmed.

Zelon, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B167847 People (Not for Publication)
v.
Aunchman

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Zelon, J.

B165535 Noriega Chiropractic, Inc. (Not for Publication)
v.
Nalio

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Johnson, Acting P.J.
Woods, J.

February 11, 2004 (Continued)

DIVISION SEVEN (Continued)

B158536 Szetela (Not for Publication)
v.
Ralphs Grocery Company

The judgment is affirmed. Each party to bear their own costs.

Woods, J.

We concur: Perluss, P.J.
Johnson, J.

B165761 Calvert (Not for Publication)
v.
Countrywide Securities Corp.

The judgment is affirmed. Each party to bear their own costs.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B167843 Hicks
v.
Superior Court, Los Angeles County
(Kaufman and Broad Home Corp., r.p.i.)

Filed order denying petition for rehearing.

DIVISION EIGHT

[illegible]

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

(Certified for Publication)

B163710 Los Angeles County Professional Peace Officers' Association, et al.
v.
County Of Los Angeles, et al.

For the reasons set forth above, the judgment is affirmed. Respondents to recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

[illegible]

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.